

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

**FILED**

JAN 30 2004

LARRY W. PROPES, CLERK  
CHARLESTON, SC

Terry W. Osborn,

Plaintiff,

vs.

Pharmaceutical Education & Development  
Foundation of the Medical University of  
South Carolina,

Defendant.

C/A No. 2-01-4002-18

**VERDICT**

WE, THE JURY, UNANIMOUSLY FIND:

- (1) Did the defendant, the Pharmaceutical Education & Development Foundation of the Medical University of South Carolina, prove, by the preponderance of the evidence, each of the elements of its counterclaim for negligent misrepresentation against the plaintiff?

YES \_\_\_\_\_

NO ✓

- (2) Did the defendant prove, by the preponderance of the evidence, each of the elements of its counterclaim for breach of contract against the plaintiff?

YES \_\_\_\_\_

NO ✓

- (3) Did the defendant, prove, by the preponderance of the evidence, each of the elements of its counterclaim for breach of fiduciary duty?

YES \_\_\_\_\_

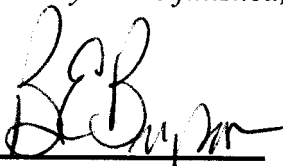
NO ✓

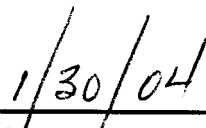
*If you have answered "YES" to any of questions (1) - (3), turn to the next page and answer question (4). If your answer to all questions is "NO," sign and date this verdict form.*

- (4) Did the defendant prove by the preponderance of the evidence that it is entitled to actual damages? If your answer is "YES," please provide an amount below in dollars and cents. If your answer is "NO," leave blank.

ACTUAL DAMAGES \$ \_\_\_\_\_

*When you are finished, please sign and date this verdict form.*

  
\_\_\_\_\_  
Foreperson

  
\_\_\_\_\_  
Date